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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Jeffrey Tarvin

Serial No.: 10/711,918

Filed: October 13, 2004

For: System and Method to Interpret Distributed
Temperature Sensor Data and to Determine a Flow
Rate in a Well

§
§ Group Art Unit: 3676
§
§
§ Examiner: DiTrani, Angela M.
§
§
§ Atty Docket: 101.0166

Assistant Commissioner
for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

August 27, 2008

Date

Robert A. Van Someren

Sir:

REPLY TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

In response to the August 20, 2008 Notification of Non-Compliant Appeal Brief, a replacement Page 2 of the Appeal Brief is submitted herewith. The replacement page has a revised Status of Claims section and a revised Status of Amendments section. The Status of Claims section has been amended to reference canceled claims, and the Status of Amendments section has been amended in accordance with the comments provided in the August 20, 2008 Notification of Non-Compliant Appeal Brief. The revised Status of Amendments section lists both the filing date and the received date for the pertinent amendment and also references the response after final in which no amendments were submitted. If any issues remain, the undersigned can be contacted at telephone number 281-373-4369.

Respectfully submitted,

Date: August 27, 2008

Robert A. Van Someren
Reg. No. 36,038
VAN SOMEREN, PC
P.O. Box 2107
Cypress, TX 77410-2107
281-373-4369

Corporation, the Assignee of the above-referenced application, will be directly affected by the Board's decision in the pending appeal.

3. **STATUS OF CLAIMS**

Claims 12-13, 32-33, 42, 49-94 have been canceled without prejudice, and claims 1-11, 14-31, 34-41, 43-48 stand finally rejected by the Examiner as noted in the Office Action dated March 6, 2008. The rejection of claims 1-11, 14-31, 34-41 and 43-48 is appealed.

4. **STATUS OF AMENDMENTS**

The November 27, 2008 Amendment (received December 3, 2007) was submitted prior to the Examiner's Final Rejection mailed March 6, 2008 and was entered by the Examiner. A response was filed on May 5, 2008 after final, but no amendments were submitted and no amendments were entered after the Final Rejection.

5. **SUMMARY OF THE CLAIMED SUBJECT MATTER**

a.) Independent Claim 1

Independent claim 1 is directed to a methodology for analyzing distributed temperature data from a well. The methodology uses a distributed temperature sensor system (20) for obtaining temperature profile data from a portion of a wellbore (12). The temperature profile data is provided to a processor (22) which automatically determines whether fluids are flowing into or out of a tubing (16) located in the well based on processing of the temperature profile data. The methodology further comprises highlighting valuable information to a user related to the flow of fluid relative to the tubing (16).

b.) Independent Claim 10

Independent claim 10 is directed to a methodology for analyzing distributed temperature data from a well. The methodology comprises obtaining temperature profile data from a portion of a wellbore (12). The temperature profile data is provided to a processor (22) which